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subject "Regulation of Commerce" the authors have been especially fortunate. No case, unless, indeed, it be of recent date, is relied upon for any principle which time has not let live. This avoids infinite confusion in the student's mind as to what has been and is the construction placed upon state and federal power. It gives the student some definite information as to what is settled, and leaves him likely to pursue further work on his own account.

The chapter entitled "Checks and Balances in the Government" is of especial interest in these days, when we hear it said by some that checks and balances exist in theory, rather than practice. Whether theoretical or practical, it is well to have this chapter, since it speaks of one of the conceptions which gave birth to our great Constitution.

On the whole, the book is accurate, and for a one-volume work wonderfully comprehensive.

*W. E. C.*

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THE LAW OF NEGLIGENCE. By THOMAS WILLIAM SAUNDERS.  
Second Edition revised by E. BLACKWOOD, B. A., LL. D.  
London: Butterworth & Co. 1898.

The small bulk of this, the second edition of Saunders on Negligence, necessarily prevents any exhaustive treatment of the subject, at this day a very broad one, and yet in examining some of the chapters one is surprised at the thoroughness with which the author and editor have accomplished their work. The preface states the purpose of the work to be the "supplying of a portable and cheap text book, which will give both the principles of the law and the cases which set them forth." The author plunges into the subject at once with a chapter on Negligence and compares the various definitions of the term. He criticizes the continued use of text-book writers and others of the term "gross negligence," saying, that it has yet to be discovered that it means anything definite or more than actionable negligence, and closes the chapter with a paragraph on "contributory negligence." Some reference is made to the doctrine of proximate cause, the awarding of vindictive damages for "gross negligence and contributory negligence on part of children."

The author then leaves the field of general principles and discusses specific forms of negligence. Chapters then follow dealing with the duty of care with regard to land, and then with respect to chattels. In this connection he discusses the law with respect to dangerous things—their possession, use and forwarding—the presence in particular instances of "scienter" and the evidence thereof.

The important branch of employer's liability is discussed in the light of the charges made therein by the Employer's Liability Act of 1880 and the Workmen's Compensation Act of 1897. These, however, have only a partial interest to the American

reader, since they deal with phases of the law of master and servant which are as yet uncommon in this country, only a few of our states having enacted similar legislation. The author dwells at length on the English procedure under this act, and has doubtless furnished to the English practitioner much information of value and easy of access. The parts with reference to these two acts are, of course, additions by the editor. He shows how the doctrine of common employment has been cut down by the Act of 1880, and what a great enlargement of liability of the employer along different lines was made in the passage of the Compensation Act of 1897.

While the ground covered is, in the main, adequately treated in view of the limited space at the author's command, nevertheless the work has not the symmetry of arrangement one would expect. Undue prominence is, in several instances, given to topics which might with advantage be replaced by others. The important questions arising under proximate and remote causes and the effect of intervening causes are passed over with very slight attention. One thing, however, which must be commended highly, is the very copious citation of cases, every proposition being well sustained by the authorities. A carefully arranged table of cases, and accurate index complete what will, no doubt, prove a very acceptable contribution to the literature of the profession.

*J. A. McK.*

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## BOOKS RECEIVED.

[Acknowledgment will be made, under this title, of all books received, and reviews will be given, as near as possible, in the order of their receipt. Those, however, marked \* will not be reviewed. Books should be sent to the Editor-in-Chief, Department of Law, University of Pennsylvania, Sixth and Chestnut Streets, Philadelphia, Pa.]

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POWELL'S PRINCIPLES AND PRACTICE OF THE LAW OF EVIDENCE.  
 Edited by JOHN CUTLER. London : Butterworth & Co. 1898.

PRACTICE IN ATTACHMENT AND GARNISHMENT OF PROPERTY IN THE  
 STATE OF OHIO. By JAMES M. KERR. Norwalk, Ohio : The  
 Laning Printing Co. 1898.

A TRUSTEE'S HANDBOOK. By AUGUST P. LORING. Boston : Little  
 Brown & Co. 1898.

THE LAW OF DEBTOR AND CREDITOR. By RUFUS WAPLES. Chicago :  
 T. H. Flood & Co. 1898.

EXPERIENCE IN THE UNITED STATES SUPREME COURT. By A. H.  
 GARLAND. Washington, D. C. : John Byrne & Co. 1898.

THE ELEMENTS OF MERCANTILE LAW. By T. M. STEVENS. London :  
 Butterworth & Co.